

## REMARKS

This application has been reviewed in light of the Office Action dated September 1, 2009. Claims 14-17 are presented for examination, of which Claims 14, 16 and 17 are in independent form. Claims 10-13 have been canceled without prejudice or disclaimer of subject matter. Claims 14-17 have been added to assure Applicant of a full measure of protection. Favorable reconsideration is respectfully requested.

In the outstanding Office Action, Claims 10-13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 5,414,525 (Ito) in view of U.S. Patents 6,134,017 (Schlank et al.) and 6,570,667 (Hattori et al.).

Applicant submits that the independent claims, together with the dependent claim, are patentable over the cited prior art for at least the following reasons.

As discussed in previous amendments, according to certain aspects of the present invention, while an image is being transmitted and received over the network, a user is allowed to issue a command instructing how to process the image in real time (para. [0002]). Specifically, the user can do so when only a portion of the image, which could be less than a page, has been received and displayed to the user and the rest of the image is yet to be received and displayed (para. [0048], for example).<sup>1</sup>

Claim 14 recites, among other features, “a detector configured to detect what command regarding the facsimile data received by said receiver has been accepted by said instruction unit, even before the receipt by said receiver and the display by said display controller of a first page of the image is complete.”

---

<sup>1</sup> It is to be understood that the scope of the claims is not limited by the details of this or any other embodiment that may be referred to.

This feature is not believed to be disclosed or suggested in *Ito*, *Schlank*, and *Hattori*, considered separately or in any permissible combination.

Initially, *Ito* and *Schlank* are not believed to discuss or teach “detect[ing] what command... has been accepted... even before the receipt by said receiver and the display by said display controller of a first page of the image is complete,” as recited in Claim 14.

As far as Applicant understands, *Hattori* relates to a system where a printer can be used as a facsimile (fax) communication device by attaching a facsimile modem card to the printer (*see* Abstract). Specifically, if the printer receives facsimile data from a personal computer, it sends the received fax data to the public telephone network. Moreover, the printer erases fax data from a memory in response to a memory reset command during fax reception (*see* col. 27, lines 42-57). The printer also prints the fax data stored in the memory and erases it from the memory when it detects that the memory is expected to be full during fax reception (*see* col. 35, line 62 – col. 36, line 14). However, *Hattori* is also not believed to discuss “detect[ing] what command... has been accepted... even before the receipt by said receiver and the display by said display controller of a first page of the image is complete,” as recited in Claim 14.

Accordingly, for at least the reasons noted above, Claim 14 is believed patentable over *Ito*, *Schlank*, and *Hattori*, considered separately or in any permissible combination.

Independent Claims 16 and 17 recite features similar to those discussed above with respect to Claim 14 and, therefore, are also believed to be patentable over *Ito*, *Schlank*, and *Hattori* for the reasons discussed above.

A review of the other art of record has failed to reveal anything which, in Applicant’s opinion, would remedy the deficiencies of the art discussed above, as references

against the independent claims. Therefore, the independent claims are believed to be allowable over the art of record.

Claim 15 is dependent from Claim 14, and is therefore believed patentable for the same reasons. Since the dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration of the patentability thereof on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

/Leonard P Diana/  
Leonard P. Diana  
Attorney for Applicant  
Registration No.: 29,296

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3801  
Facsimile: (212) 218-2200

FCHS\_WS 4580392\_1.DOC